

United States District Court  
Southern District of Ohio  
Western Division  
Cincinnati, Ohio

John Sayyah Rose, et al

Plaintiff

Case No. C-1-01-459

VS

RULE 26(f) REPORT OF THE PARTIES

Waynoka Defendant  
Property Owners  
Assoc. Inc. et al

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on 7/13/04, and was attended by:

John Sayyah Pro Se Counsel for plaintiff  
Brenda Frank Pro Se Counsel for plaintiff  
Counsel for plaintiff

Michael Foley Counsel for defendant Jay Cutrel  
Colleen Blanford  
Steve Henghold

2. The parties: Steve Hoager

☒ have exchanged the discovery disclosures required by Rule 26(a)(1)  
☒ will exchange such disclosures by Aug 13 2004  
☐ are exempt from disclosure under Rule 26(a)(1)(E)  
☐ have agreed not to make initial disclosures.

3. The parties:

☒ do not unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 U.S.C. §636 (c)  
☐ unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 U.S.C. §636 (c)

4. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: Aug 13 2004

5. Is this case appropriate for mediation after a limited discovery period? No

Will the parties request the services of a court mediator? No

Has a settlement demand been made? No

Date by which a settlement demand can be made? No

Date by which a response can be made to settlement demand? No

6. Recommended Discovery Plan:

A. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party needs to: (1) make a settlement evaluation,

It Not  
Interested  
in settlement  
with certain  
parties.

(2) prepare for case dispositive motions and (3) prepare for trial:

It will take Depositions of Parties. 20-30 Non-Party depositions.  
 It will have 10 experts who will be deposed. Sept 1, 2004 is  
deadline for 10 expert Reports to be sent to all Counsel. A shall  
have until Dec 1, 2004 to produce expert Reports. A will  
take depo of all plaintiffs and witnesses identified by  
plaintiffs. A will take depo of all of its experts.

B. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the S.D. Ohio Civ. Rules, including the limitations to 25 interrogatories, 40 requests for admissions, and the limitation of ten depositions, each lasting no more than one seven-hour day?

Parties agree to all limitations  
except there will be more than  
10 deposition.

C. Additional recommended limitations on discovery:

A's Request that depositions of parties  
Not Applicable  
can be taken once even though there  
are several Federal Actions pending. Multiple  
depositions of parties shall be precluded.

D. Describe the areas for which expert testimony is expected and indicate whether each expert will be specially retained within the meaning of Fed. R. Civ. P. 26(a)(2).

It shall have until Sept 1, 2004 to comply  
with 26(a)(2).  
A shall have until Dec 1, 2004 to comply  
with 26(a)(2)

E. Recommended date for identifying primary experts: Sept 1, 2004 / Dec 1, 2004

F. Recommended date for producing primary expert reports: Sept 1, 2004 / Dec 1, 2004

G. Recommended date for identifying rebuttal experts: Dec 1, 2004

H. Recommended date for producing rebuttal expert reports: Dec 1, 2004

I. Recommended discovery cut-off date: 5/3/05

7. Recommended Dispositive Motion Deadline date: 6/1/05

8. Recommended date for Joint Pretrial Order:  
 (at least 30 days before trial date) Sept 05

9. Recommended date for trial term: Oct 05

10. Other matters for the attention of the Court:

The parties request a date for decision on pending Motions to dismiss. It indicated they will file suit against the Court should there be an adverse ruling.

SIGNATURES:

Attorneys for Plaintiff

[Signature]

Ohio Bar #

Trial Attorney for [Signature]

[Signature], pro se

Ohio Bar #

Trial Attorney for

[Signature] Pro Se.

Ohio Bar #

Trial Attorney for

[Signature]  
Atty Re Wayne, et al

Attorneys for Defendant or Third Parties:

[Signature]  
0061227

Ohio Bar #

Trial Attorney for

[Signature] Say Cutrell

Ohio Bar # 0055287

Trial Attorney for

[Signature] Robert Rickling

Ohio Bar # 0030134

Trial Attorney for

[Signature] Kanphaus et al

[Signature]

Ohio Bar # 0061877

Trial Attorney for Don Furda et al

[Signature], Pro Se  
Representing self at present  
time